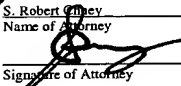


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box AF; Assistant Commissioner of Patents, Washington, D.C. 20231 on April 9, 2003

S. Robert Chuey 39,140
Name of Attorney Registration No.

 _____
Signature of Attorney

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APR 15 2003
TECH CENTER 1600/2800
P&G 7922

#19
JRL
4/16/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :
Gary Stephenson : Confirmation No. 5677
Serial No. 09/489,310 : Group Art Unit: 1614
Filed: January 21, 2000 : Examiner: Shep K. Rose

For KITS COMPRISING A BEVERAGE COMPOSITION AND INFORMATION FOR USE

NOTICE OF APPEAL

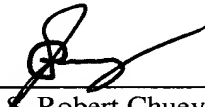
Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The Applicant hereby appeals to the Board of Appeals from the decision dated January 9, 2003 of the Primary Examiner finally rejecting Claims 11-15, 17-20 and 22-31.

A timely response to the final rejection has been filed. Please charge the appeal fee of \$320.00, any processing fee under 37 CFR §1.17, and any other necessary fees to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company, Patent Division. An additional copy of this Notice is enclosed for that purpose.

Respectfully submitted,

By  _____
S. Robert Chuey
Attorney for Applicants
Registration No. 39,140
(513) 634-0102

Date: April 9, 2003

Customer No. 27752

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/489,310
Confirmation Number 5677
Filing Date January 21, 2000
First Named Inventor Gary Stephenson
Examiner Name Shep K. Rose
Group/Art Unit 1614
Attorney Docket No. 7922

RECEIVED

APR 15 2003

TECH CENTER 1600/2900

TOTAL AMOUNT OF PAYMENT (\$ 320.00)

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number 16-2480
Deposit Account Name The Procter & Gamble Company
- ☒ Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION

1. BASIC FILING FEE - Large Entity

Code (\$)	Fee Description	Fee Paid
1001 750	Utility filing fee	
1002 330	Design filing fee	
1004 750	Reissue filing fee	
1005 160	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE - Large Entity

Total Claims	Extra Claims	Fee from Below	Fee Paid
20**			

Independent Claims 3** = x =
Multiple Dependent = =

** or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
1202 18	Claims in excess of 20
1201 84	Independent claims in excess of 3
1203 280	Multiple dependent claim, if not paid
1204 84	**Reissue independent claims over original patent
1205 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Code (\$)	Fee Description	Fee Paid
1051 130	Surcharge-late filing fee or oath	
1052 50	Surcharge-late provisional filing fee or cover sheet	
1053 130	Non-English specification	
1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	Requesting publication of SIR prior to Examiner's action	
1805 1,840*	Requesting publication of SIR after Examiner's action	
1251 110	Extension for reply within 1 st month	
1252 410	Extension for reply within 2 nd month	
1253 930	Extension for reply within 3 rd month	
1254 1,450	Extension for reply within 4 th month	
1255 1,970	Extension for reply within 5 th month	
1401 320	Notice of Appeal	<input checked="" type="checkbox"/>
1402 320	Filing a brief in support of an appeal	
1403 280	Request for oral hearing	
1451 1,510	Petition to institute a public use proceeding	
1452 110	Petition to revive - unavoidable	
1453 1,300	Petition to revive - unintentional	
1501 1,300	Utility issue fee (or reissue)	
1502 470	Design issue fee	
1460 130	Petitions to the Commissioner	
1807 50	Petitions related to provisional applications (37 C.F.R. 1.17(q))	
1806 180	Submission of Information Disclosure Statement	
1809 750	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 750	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 750	Request for Continued Examination (RCE)	
1802 900	Request for expedited examination of a design application	
1454 1300	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	
	Other fee (specify)	
	Other fee (specify)	

* Reduced by Basic Filing Fee Paid SUBTOTAL(3) (\$ 320)

SUBMITTED BY

Name (Print/Type) S. Robert Chuey
Signature

Registration No. 39,140

Complete (if applicable)

Telephone (513) 634-0102
Date April 9, 2003

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.